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Paper No. 10

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SEP 24 2003

OFFICE OF PETITIONS

In re Application of :
Way, et al. :
Application No. 09/686,235 : **ON PETITION**
Filed: October 11, 2000 :
Attorney Docket no. TS097-cipSLED :

This is a decision on the petition under 37 CFR 1.137(a), filed September 5, 2003, which has been treated as a petition under 37 CFR 1.181, to withdraw the holding of abandonment.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the Office letter mailed September 3, 2002. Accordingly, this application became abandoned on October 4, 2002. A Notice of Abandonment was mailed on April 8, 2003.

Petitioner asserts that a proper response was in fact timely filed in the form of an amendment on September 19, 2002. In support, Petitioner has submitted a copy of the originally filed amendment. The amendment contains an executed Certificate of Facsimile Transmission under 37 CFR 1.8 dated September 19, 2002.

Accordingly, the petition is granted and the holding of abandonment is withdrawn.

The \$650.00 petition fee, submitted September 5, 2003, will be refunded by treasury check.

The file is being forwarded to Technology Center 3600 for review of the amendment, filed September 5, 2003 (originally filed September 19, 2002), *in due course*.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-9200.

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